

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

PAOLA PAZYMINO, *on behalf herself
and those similarly situated,*

Plaintiff,

-v-

PORTFOLIO RECOVERY
ASSOCIATES, LLC,

Defendant.

Civil Action No.: 2:19-cv-12259-KM-
SCM

**LOCAL RULE 56.1 STATEMENT OF UNDISPUTED
MATERIAL FACTS IN SUPPORT OF DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

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** Admitted Pro Hac Vice*

Pursuant to Local Civil Rule 56.1, Defendant Portfolio Recovery Associates, LLC (“PRA”), by and through its attorneys, submit the following statement of material facts not in dispute in support of its Motion for Summary Judgment regarding the Amended Class Action Complaint (the “Complaint”) of Plaintiff Paola Pazymino (“Plaintiff” or “Pazymino”):

UNDISPUTED MATERIAL FACTS

1. Plaintiff, Paola Pazymino is a natural person residing in Bergen County, New Jersey. *Compl., Dkt. No. 49*, at ¶ 5.
2. Plaintiff incurred and owed a financial obligation (the “Debt” or “Account”) to Comenity Bank/Ann Taylor. *Id.* at ¶¶ 11, 14.
3. Plaintiff last made a payment on the account on April 19, 2014. *Id.* at ¶ 15.
4. Plaintiff defaulted on the Account in July 2014. *Id.* at ¶ 16.
5. Upon default, a cause of action to enforce the Debt accrued. *Id.* at ¶ 17.
6. PRA subsequently purchased Plaintiff’s Account. *Id.* at ¶ 18.
7. PRA sent a letter to Plaintiff on May 8, 2018, including a statement of account reflecting a current balance of \$555.72. *Id.* at Exhibit A.

8. Plaintiff received and reviewed PRA's May 8, 2018, letter, including the statement of account reflecting a current balance of \$555.72. *Id.* at ¶ 23.

9. PRA sent a letter to Plaintiff on August 14, 2018, including a statement of account reflecting a current balance of \$555.72. *Id.* at Exhibit B.

10. Plaintiff received PRA's August 14, 2018, letter, including the statement of account reflecting a current balance of \$555.72. *Id.* at ¶ 50.

11. PRA sent a letter to Plaintiff on December 18, 2018, including a statement of account reflecting a current balance of \$555.72. *Id.* at Exhibit C.

12. Plaintiff received PRA's December 18, 2018, letter, including the statement of account reflecting a current balance of \$555.72. *Id.* at ¶ 50.

13. PRA sent a letter to Plaintiff on March 19, 2019, including a statement of account reflecting a current balance of \$555.72. *Id.* at Exhibit D.

14. Plaintiff received PRA's March 19, 2019, letter, including the statement of account reflecting a current balance of \$555.72. *Id.* at ¶ 50.

15. Plaintiff does not dispute the Account. *Id.* at ¶¶ 11 through 19.

16. Plaintiff does not dispute that the Account is past due. *Id.* at ¶¶ 16.

17. Plaintiff does not dispute that a cause of action accrued on the account in July 2014. *Id.* at ¶ 17.

Dated: January 28, 2022
New York, New York

Respectfully submitted,

TROUTMAN PEPPER HAMILTON
SANDERS LLP

By: /s/ Stephen J. Steinlight
Stephen J. Steinlight, Bar No. 028852001

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